



Kim Vickers
Executive Director

TEXAS COMMISSION ON LAW ENFORCEMENT

Quarterly Meeting Minutes December 2, 2021

On Thursday, December 2, 2021, at 9:30 A.M., the quarterly meeting of the Texas Commission on Law Enforcement (TCOLE) was held at the J.J. Pickle Research Campus, The Commons Learning Center, 10100 Burnet Road, Bldg. 137, Austin, Texas.

Commissioners attending were Presiding Officer Kim Lemaux; Patricia Burruss, Secretary; Constable Ron Hood; Janna Atkins; Tim Whitaker, and Sheriff Michael Griffis. Assistant Presiding Officer Jason Hester and Commissioner Sharon Breckenridge Thomas were absent.

Attending from the Office of the Attorney General were Raymond C. Winter and Robert Savage. TCOLE staff attending included Executive Director Kim Vickers, Credentialing and Field Services Director Cullen Grissom, Enforcement and Special Services Director Michael Antu, Government Relations Director Gretchen Grigsby, Finance Director Brian Roth, General Counsel John Beauchamp, Iris Martinez, Jennifer Castillo, Rainee Trevino, Jessica Capraro, Dennis Graffious, Justin Wofford, Bailey Barksdale, Cera Thornton, Kim Boyd, Gary Connella, Doug Skolaut, David New, Richard Gutierrez, Rachel Rinehart, Carolyn DeWitt, Jacqui Pruet, David Guffey, Linda Kernahan, Cari Barrentine, Lisa Landry, Kelly Kirkland, and Laurie Jackson.

Agenda item #1, Call to order.

The Presiding Officer called the meeting to order at 9:32 a.m. Commissioner Burruss led the pledges of allegiance and Commissioner Whitaker gave the invocation. Sergeant Samuel Garces, Deputy Thomas Navarrete, Deputy Britt Krevit, Officer Jason Ward, Officer Jonnathan Serrano of the Midland County Sheriff's Office posted the Colors. Roll was called and a quorum was present. Welcoming remarks were made by Presiding Officer Kim Lemaux.

Agenda item #2, Approval of the minutes of the September 2, 2021, quarterly commission meeting at Austin, Texas.

Commissioner Atkins made a motion to accept the September 2021 minutes. Commissioner Burruss seconded the motion. The motion passed unanimously.

Agenda item #5, Discuss and take action on the Request for Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure.

- Taylor County Sheriff's Office, Sheriff Ricky Bishop on behalf of Anthony R. Culpepper

Sheriff Ricky Bishop spoke on behalf of Anthony R. Culpepper. Mr. Culpepper made himself available to answer questions. Commissioner Burruss made a motion to approve the waiver for Mr. Culpepper. Commissioner Whitaker seconded the motion. The motion passed unanimously.

- Friendswood Police Dept., Chief Robert B. Wieners on behalf of David W. Hardee

Chief Robert B. Wieners spoke on behalf of David W. Hardee. David Hardee addressed the Commission. Commissioner Burruss made a motion to approve the waiver for Mr. David Hardee. Commissioner Hood seconded the motion. The motion passed unanimously.

Presiding Officer Lemaux gave information on the 2022 Commission meetings. There will be six meetings in 2022. Information will be posted as the dates and locations are decided.

Agenda item #4, Take action to enroll and induct officers in the Texas Peace Officers' Memorial Monument.

Director Grigsby read the names that are recommended for approval for enrollment on the Texas Peace Officers' Memorial Monument.

Corrections Officer Thomas Adedayo Ogungbire Texas Department of Criminal Justice	06-11-2020
Sergeant Dale Multer Travis County Constables Office	06-27-2020
Juvenile Corrections Officer Sean Rahina Wilson Texas Juvenile Justice Department	06-28-2020
Parole Officer Joseph William Lange Texas Department of Criminal Justice	07-01-2020
Corrections Officer Kenneth Harbin Texas Department of Criminal Justice	07-04-2020
Lieutenant Bobby Almager Corpus Christi International Airport Department of Public Safety	07-10-2020
Border Patrol Agent Enrique J. Rositas Jr. US Dept of Homeland Security-Customs and Border Protection	07-11-2020
Officer Roel De La Fuente US Dept of Homeland Security-Customs and Border Protection	07-13-2020

Border Patrol Agent Agustin Aguilar Jr. <u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>07-25-2020</u>
Corrections Officer Eric T. Johnson <u>Texas Department of Criminal Justice</u>	<u>07-27-2020</u>
Border Patrol Agent Marco A. Gonzales <u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>08-05-2020</u>
Corrections Officer Lebouath A. Boua <u>Texas Department of Criminal Justice</u>	<u>08-12-2020</u>
Corrections Officer Herbert J. Garcia <u>Texas Department of Criminal Justice</u>	<u>08-17-2020</u>
Officer Lucas G. Saucedo, Jr. <u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>08-21-2020</u>
Police Officer Jorge Cabrera <u>Mission Police Department</u>	<u>08-24-2020</u>
Corporal Charles E. Holt <u>Tarrant County Sheriff's Office</u>	<u>09-01-2020</u>
Corrections Officer Susan Ann Roberts <u>Williamson County Sheriff's Office</u>	<u>09-12-2020</u>
Deputy Sheriff Christopher A. Smith <u>McLennan County Sheriff's Office</u>	<u>09-21-2020</u>
Police Officer Jose Antonio Buso Sr. <u>Alamo Colleges Police Department</u>	<u>09-24-2020</u>
Corrections Officer Donald E. Parker <u>Texas Department of Criminal Justice</u>	<u>09-27-2020</u>
Police Recruit Phillip Sockwell <u>Plano Police Department</u>	<u>10-09-2020</u>
Officer Domingo Jasso III <u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>11-05-2020</u>
Corrections Officer Rodrick Rodgers <u>Texas Department of Criminal Justice</u>	<u>11-11-2020</u>
Air Interdiction Agent Christopher Doyle Carney <u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>11-16-2020</u>
Detention Officer Joseph Quillen <u>Collin County Sheriff's Office</u>	<u>12-01-2020</u>
Officer Jose A. Santana <u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>12-02-2020</u>
Officer Richard Rios <u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>12-02-2020</u>
Corrections Officer Timothy Beggs <u>Texas Department of Criminal Justice</u>	<u>12-09-2020</u>

Officer Andrew Raymond Bouchard	
<u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>12-19-2020</u>
Sergeant David I. Schmidt	
<u>Seagoville Police Department</u>	<u>12-23-2020</u>
Corrections Officer Phillip Holbert	
<u>Texas Department of Criminal Justice</u>	<u>12-27-2020</u>
Parole Officer Brenda Le LaFaso	
<u>Texas Department of Criminal Justice</u>	<u>12-31-2020</u>
Officer Troy Allen Adkins	
<u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>12-31-2020</u>
Sergeant Randall Sims	
<u>Texas Department of Criminal Justice</u>	<u>01-03-2021</u>
Lieutenant Treva Preston	
<u>Texas Department of Criminal Justice</u>	<u>01-15-2021</u>
Special Agent Robert Allan Mayer, Jr.	
<u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>01-30-2021</u>
Police Officer Mitchell Penton	
<u>Dallas Police Department</u>	<u>02-13-2021</u>
Major Esteban "Stevie" Ramirez, III	
<u>Bell County Sheriff's Office</u>	<u>02-16-2021</u>
Officer Carlos Mendoza	
<u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>02-24-2021</u>
Corrections Officer Luis Arturo Hernandez, Sr.	
<u>Texas Department of Criminal Justice</u>	<u>03-31-2021</u>
Trooper Chad Michael Walker	
<u>Texas Department of Public Safety</u>	<u>03-31-2021</u>
Border Patrol Agent Freddie Vasquez	
<u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>05-08-2021</u>
Deputy Sheriff Stephen Jones	
<u>Concho County Sheriff's Office</u>	<u>05-10-2021</u>
Deputy Sheriff Samuel Alexander Leonard	
<u>Concho County Sheriff's Office</u>	<u>05-10-2021</u>
Border Patrol Agent Juan Manuel Urrutia	
<u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>05-28-2021</u>
Sergeant Joshua Blake Bartlett	
<u>Lubbock County Sheriff's Office</u>	<u>07-15-2021</u>
Border Patrol Agent Edgardo Acosta-Feliciano	
<u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>07-31-2021</u>
Police Officer Lewis Andrew "Andy" Traylor	
<u>Austin Police Department</u>	<u>07-31-2021</u>

Border Patrol Agent Ricardo Zarate	
<u>US Dept of Homeland Security-Customs and Border Protection</u>	<u>08-16-2021</u>
Senior Police Officer William Jeffrey	
<u>Houston Police Department</u>	<u>09-20-2021</u>
Deputy Constable Kareem Atkins	
<u>Harris County Constable's Office - Pct 4</u>	<u>10-16-2021</u>
Senior Patrolman Sherman Otto Benys, Jr.	
<u>Kingsville Police Department</u>	<u>11-04-2021</u>
Research Names	
Private Joseph S. Anderson	
<u>Texas Rangers</u>	<u>07-15-1839</u>
Private John Crane	
<u>Texas Rangers</u>	<u>07-15-1839</u>
Private Henry P. Crowson	
<u>Texas Rangers</u>	<u>07-15-1839</u>
Private Henry M. Rogers	
<u>Texas Rangers</u>	<u>07-15-1839</u>
Private John Ewing	
<u>Texas Rangers</u>	<u>07-15-1839</u>
Private George F. Martin	
<u>Texas Rangers</u>	<u>07-15-1839</u>
Private John L. Lynch	
<u>Texas Rangers</u>	<u>12-25-1839</u>
Captain John B. Denton	
<u>Texas Rangers</u>	<u>05-24-1841</u>
Private Wade Hampton "Hamp" Rattan	
<u>Texas Rangers</u>	<u>12-25-1841</u>
Private John A. Reed	
<u>Texas Rangers</u>	<u>01-01-1850</u>
Private Henry J. Willis	
<u>Texas Rangers</u>	<u>09-15-1851</u>
Patrolman Solomon White	
<u>San Antonio Police Department</u>	<u>09-23-1873</u>
Deputy Sheriff Thalys Tucker Cook	
<u>Brewster County Sheriff's Office</u>	<u>07-21-1918</u>
City Marshal James A. Jett	
<u>Orange Police Department</u>	<u>05-12-1902</u>
Sergeant Game Warden James Floyd Birmingham	
<u>Fort Worth Police Department</u>	<u>02-03-1968</u>

Commissioner Burruss made a motion to enroll and induct the officers as read into the record by Ms. Grigsby into the Texas Peace Officers Memorial Monument. Commissioner Atkins seconded the motion. The motion passed unanimously.

Agenda item #3, Receive reports. Take action if necessary.

Executive Director Kim Vickers announced that when an agency submits the Racial Profiling Report, there will be an option to have the system create and include the comparative analysis for them. Per HB 3712 passed in the last legislative session, TCOLE will be recommending up to 16 hours of mandated training for the current training unit. For the training unit beginning September 1, 2023, and future training units, TCOLE will identify the mandated training. The mandated training could change each training unit. Director Vickers introduced new staff members.

Enforcement and Special Services Director Michael Antu stated that the Pass Rate Report will be sent out for review prior to publication. When the acquisition of TCLEDDS is complete, all agencies will receive My TCOLE Plus for free. January 1st is the deadline for the Secure File Transfer to be in place. Director Antu gave updates on the progress of the Texas Law Enforcement Peer Network. The anticipated launch is in January 2022. The initial license will be available in the My TCOLE Account mid to late December. The Shopping Cart will also be launched mid to late December. Racial Profiling Reporting begins January 1, 2022. Non-Compliance letters are being prepared and will be mailed to individual licensees. Through the My TCOLE Account, a licensee may subscribe to mass communication for areas of interest.

Credentialing and Field Services Director Cullen Grissom gave an overview of the Education Services division. Committees and focus groups will continue to be used to develop and update curriculum. Twenty-four hours will be added to the BPOC, increasing the total number of training hours to 720. The updated curriculum will be published January 1, 2022. An individual that starts training after July 1, 2022, will be trained on the new curriculum. The new Mental Health Officer curriculum will launch in February 2022. Director Grissom gave an update on the Telecommunicator CPR course. The American Heart Association or the American Red Cross CPR training will be recognized. The Telecommunicator CPR will launch in February of 2022. An email invitation will be sent out to participate in the Salary Survey. Military Police can apply for year-to-year service time to be added to their record. Director Grissom gave an update on the number of out of state and military applications that have been processed. There were 2,413 licensees on the final training non-compliance list.

Government Relations Director Gretchen Grigsby spoke about the legislative cycle that includes the implementation phase and preparation for the next session. HB 3712 tasked TCOLE to create several model policies that should be published by January 1, 2022. The Sunset limited scope review begins in April. TCOLE is part of the Sexual Assault Survivor's Task Force that will review law enforcement training. The Peace Officers' Memorial Monument ceremony will be held May 1, 2022, on the Capitol grounds. Funding for flags given to the next of kin for deceased peace officers is being considered either through legislative appropriation or another source of funding. Nominations for the Law Enforcement Achievement Awards are open through December 31, 2021.

Finance Director Brian Roth gave an update on job postings. Fifteen of the sixteen available new positions have been filled. TCOLE has two active grants. The curriculum update grant is eighty percent complete, and the school marshal training grant is thirty percent complete. The finance division is working on the purchase of TCLEDDS, the My TCOLE online payment system, and has finalized the negotiations for additional office space. Legislative changes are being implemented.

Commissioner Hood made a motion to approve the Executive Director's report and staffs reports. Commissioner Griffis seconded the motion. The motion passed unanimously.

Commissioner Burruss left the meeting at 10:32 A.M.

Agenda item #6, Discuss and take action on final orders of amendments to existing TCOLE rules.

This agenda item was tabled until the February 2022 commission meeting.

- Final Amendment 1
§211.27. Reporting Responsibilities of Individuals.
- Final Amendment 2
§211.30. Chief Administrator Responsibilities for Class A and B Waivers.
- Final Amendment 3
§217.1. Minimum Standards for Enrollment and Initial Licensure.
- Final Amendment 4
§218.3. Legislatively Required Continuing Education for Licensees.
- Final Amendment 5
§219.1. Eligibility to Take State Examinations.

- Final Amendment 6
§219.11. Reactivation of a License.
- Final Amendment 7
§221.31. Retired Peace Officer and Federal Law Enforcement Officer Firearms Proficiency.
- Final Amendment 8
§223.19. License Revocation.
- Final Amendment 9
§227.7. School Marshal Renewals.

Agenda item #7. Discussion of and take actions on proceedings for revocation, suspension, and other disciplinary actions.

Raymond C. Winter reviewed the disciplinary actions.

Default Suspension Orders

Escobar, Carlos A.	Peace Officer	Lacy Lakeview Police Dep't
Garner, Lois L.	Peace Officer	Cherokee Cnty. Dist. Atty.'s Office
Gatheright, Omario D.	Peace Officer	Aldine I.S.D. Police Dep't
Perez-Plascencia, Maribel	Jailer	Parker Cnty. Sheriff's Office
Wadsworth, Kenneth D.	Peace Officer	Texas Dep't of Public Safety

Commissioner Hood moved that the Commission accept and adopt the recommendation of the Executive Director to enter a default final order to suspend the license of the individuals identified by Mr. Winter. Commissioner Griffis seconded the motion. The motion passed unanimously.

Agreed Suspension Waiver

Kellogg, Henry G.	Temporary Jailer	Parker Cnty. Sheriff's Office
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Commissioner Hood moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final agreed suspension waiver for Mr. Henry Kellogg. Commissioner Griffis seconded the motion. The motion passed unanimously.

Default Revocation Order

Pilkinton, Caleb I. Jailer Parker Cnty. Sheriff's Office

Commissioner Hood moved that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order to revoke the license for Mr. Caleb Pilkinton. Commissioner Griffis seconded the motion. The motion passed unanimously.

Default Cancellation Orders

Carreon, Refugia C. Jailer Karnes Cnty. Correctional Center
Castillo, Randy R. Jailer Jim Wells Cnty. Sheriff's Office
Jones, Latharian D. Jailer Karnes Cnty. Correctional Center
Streeter, Inez N. Jailer Karnes Cnty. Correctional Center

Commissioner Hood moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final default cancellation order for the names as provided by Mr. Winter. Commissioner Griffis seconded the motion. The motion passed unanimously.

For Information Only

Statutory Suspension

Moreno, Roberto M. Peace Officer, Jailer Taft Police Dep't

Term Surrender

Guillory, August Peace Officer Kountze Police Dep't

Permanent Surrenders

Al Khalidi, Taha K. Peace Officer Harris Cnty. Sheriff's Office
Baron, Gregory K. Peace Officer, Jailer Beeville Police Dep't
Becka, Kris A. Peace Officer, Jailer San Patricio Cnty. Sheriff's Office
Cantu, Courtney C. Peace Officer, Jailer,
Telecommunicator Kimble Cnty. Sherriff's Office
Collier, Jason B. Peace Officer, Jailer Stinnett Police Dep't
Coulter, Brandon M. Peace Officer, Jailer Martin Cnty. Sheriff's Office
Crockett, Brandon J. Peace Officer, Jailer Lubbock Cnty. Sheriff's Office
Dilworth Sr., Donovan P. Peace Officer, Jailer Galveston Cnty. Sheriff's Office
Emfinger, Cody M. Peace Officer Lubbock Police Dep't

Hall, Brett A.	Peace Officer	Dickinson Police Dep't
Hammack, Billy A.	Peace Officer	Katy Police Dep't
Harden, Chad M.	Peace Officer	Texas Dep't of Public Safety
Holt, Jared A.	Peace Officer	Fort Worth Police Dep't
Larkins, Viola D.	Peace Officer	Harris Cnty. Constable Precinct 7
Miles, Vincent E.	Peace Officer	Dallas Police Dep't
Montalvo, Jonathan	Peace Officer	San Antonio Police Dep't
Raymond, Jeffrey J.	Peace Officer	Refugio Cnty. Sheriff's Office
Salinas Jr., Tony R.	Peace Officer, Jailer	Victoria Cnty. Sheriff's Office
Vallejo, Roy S.	Peace Officer, Jailer	Encinal Police Dep't

Reprimands for Administrative Violations

Blackburn, Charles E.	Peace Officer	Donley Cnty. Sheriff's Office
Leal, Miguel	Peace Officer	South Padre Island Police Dep't
Lopez, Jesus M.	Peace Officer	Crystal City Police Dep't
Maldonado, Andres	Peace Officer	Raymondville Police Dep't
Richards, James R.	Peace Officer	Kaufman Cnty. Fire Marshal's Office
Salinas Jr., Eusevio E.	Peace Officer	Zavala Cnty. Sheriff's Office

Agenda item #8, Receive public comment on any topic, without action.

The Presiding Officer invited anyone in the audience to address the Commission. Thea Whalen of the Texas justice Courts Training Center addressed the Commission.

Agenda item #9, Executive Session to discuss pending or contemplated litigation, settlement offers, and personnel issues, including evaluation of executive director's job performance, pursuant to sections 551.074 and .071 of the Texas Government Code, Open Meetings Act.

Executive Session was held.

Agenda item #10 Return from Executive Session to report and /or discuss further actions to be taken as a result of the Executive Session. Take action, if necessary.

Agenda item #11, Adjourn.

Presiding Officer Lemaux made closing remarks. Commissioner Griffis made a motion to adjourn. Commissioner Atkins seconded the motion. The motion passed unanimously. The meeting adjourned at 11:33 A.M.

A handwritten signature in cursive script, appearing to read 'P. G. Burruss', written over a horizontal line.

Patricia G. Burruss, Secretary
PGB/lj